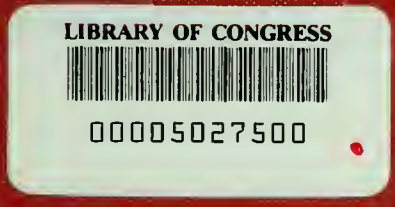

TO THE PEOPLE

OF

THE STATE OF NORTH CAROLINA.

Edward Stanly

We have seen, with mingled feelings of surprise and mortification, a circular issued by W. MONTGOMERY and M. T. HAWKINS, dated House of Representatives, 8th June, 1840. We are surprised that members of Congress should have descended from their high stations to have made charges so unfounded in fact, and we are mortified beyond measure that those members should have come from North Carolina. We deem it a duty to you, we deem it due to ourselves, to expose the misrepresentations of this circular, and, in doing so, we shall endeavor to treat its authors with all due respect, while we avoid their example, and remember to maintain our own self-respect.

Much of the abusive language applied to General HARRISON we shall not notice. His character is beyond the reach of such assaults. For a long period he has been in the service of his country; he has often risked his life for that country; he risked his political life, and sacrificed his seat in Congress on account of his regard for the rights of the Southern States. We challenge the most rigid examination into his character. We defy the most severe exercise of malicious criticism into his military conduct and into his civil history. Thus far, every attack has proved he was better than he appeared before, and, as Americans, proud of the reputation of our distinguished countryman, we invite attention to his history. The miserable exploded slander that he is a "bank, federal, abolition" candidate is utterly unworthy of notice. The policy of the Van Buren party has created and fostered hundreds of State banks. We will at any time compare notes, and will prove hundreds of federalists to belong to the same party. Numerous instances can be given of their receiving high offices from Mr. Van Buren. Nothing is more susceptible of proof than the fact that the abolitionists have nominated candidates of their own, and that they are opposing HARRISON, shoulder to shoulder, with the Van Buren party.

To show the People of our State who are the abolitionists, who are co-laborers with Messrs. MONTGOMERY and HAWKINS in their unworthy warfare, we ask that the letter of DUNCAN, of Ohio, may be examined. To give evidence of the fiendish malignity with which the South is assailed by Van Buren men, we hope the declarations of TAPPAN may be remembered; the man who offered to subscribe $500 to buy powder and shot for the negroes, to aid them in insurrection! These men are members of the same party with our colleagues—all uniting in vilifying an old soldier who has served his country well—all uniting in their efforts to elect a man President of the United States who approves of the proceedings of a Court Martial in which negro testimony was admitted against a white man!

But we dismiss this. It has been too often refuted to claim further notice at our hands. The authors of this circular could not have made any man in his senses believe this charge, *before* they wrote this extraordinary circular. *After* such an exhibition of disregard of facts as this circular affords, they and their endorsers must rely upon something beyond bare assertion to gain credit for their statements.

But what do they say in this circular? General Harrison is charged by them, on the first page of their circular, with "acts and votes" in favor of laws to sell "white 'men and white women for sheriffs' fees, clerks' fees, and 'lawyers' fees, and fines imposed by courts, who, *from their* 'poverty, were so poor as to be unable to pay these costs in 'money." We submit whether the statement does not bear its own refutation on its face. The act related to "crimes and punishments." It applied only to those who were *sentenced*, on *conviction* of any crime or breach of any penal law, to pay "a fine or fines, *with or without the costs of prosecution.*" The reading of the law exposes the groundless charge; because it says "*with or without the costs of prosecution.*" Messrs. M. & H. would have you believe that, in enacting this law, the clerks', lawyers', and sheriffs' fees were alone consulted. It was intended as a punishment for *crimes*, such as horse stealing, hog stealing, burglary, arson, &c., which are expressly mentioned in the law, when the criminals were "on conviction" sentenced to pay a fine, "*with or without the costs of prosecution.*"

Messrs. M. and H. seem to think this law would operate only on those who, "from their poverty, were so poor as to be unable to pay these costs in money!" If it had been intended to affect those only who "*from their poverty were so poor,*" we suppose those who "from" any other cause were "so poor" would never have been sold under this law! Messrs. M. and H. seem to think there are two classes of poor men; first, "the poor" simply, and then, secondly, those who "from their poverty are so poor!" But we are willing to give these authors the full benefit of their extract from this law, and we quote the law of Indiana, as contained in the circular:

Extract from the Laws of the Indiana Territory, printed at Vincennes, by Messrs. Stout and Smoot, in 1807, and now in the Library of the State Department, Washington city.

CHAPTER VI.

An act respecting Crimes and Punishments.

Sec. 30. When *any* person or persons shall, *on conviction* of any crime or breach of any penal law, be sentenced to pay a fine or fines, with or without the costs of prosecution, it shall and may be lawful for the court before whom such conviction shall be had to order the sheriff to sell or hire the person or persons so convicted to service to any person or persons who will pay the said fine and costs, *for such term of time as the said court shall judge reasonable.*

And if such person or persons, so sentenced and hired or sold, shall abscond from the service of his or her master or mistress before the term of such servitude shall be expired, he or she so absconding shall, on conviction before a justice of the peace, be whipped with thirty-nine stripes, and shall, moreover, serve two days for every one so lost.

Sec. 31. The judges of the several courts of record in this Territory shall give this act in charge to the grand jury at each and every court in which a grand jury shall be sworn.

JESSE B. THOMAS,
Speaker of the House of Representatives.
B. CHAMBERS,
President of the Council.

Approved, September 17, 1807.
WILLIAM HENRY HARRISON.

Indiana, at this time, was a Territory; she had not become a State; she had no penitentiary—probably she had few jails in her borders. If a vagrant had robbed a man of his horse, or stolen his hog, although the vagrant might have owned property to the amount of a thousand dollars, still, under this law, he might have been "hired to service" for such term of time as the Court "judged reasonable." The object of the law was to punish and to reform offenders. Under this law a notorious offender could be hired out, for six or twelve months, and made to work instead of being confined in jail, and fed at public expense out of the taxes paid by honest "good neighbor men." The law reached not only those who "from their poverty were so poor" as to be unable to pay costs, but those who might be able to pay costs, and who deserved to be hired out and made to work. It is perfectly plain, therefore, that this law was made for, and applied only to persons *convicted* of crimes, and it could only be carried into effect after indictment by a grand jury, and after conviction by twelve free men, who heard testimony on oath. And yet Messrs. M. and H. in their circular, say, that, under this law, poor white men and white women could be "sold by the sheriff, at public auction, *as slaves!*" Are "slaves" sold for such term of time as Courts deem reasonable," on conviction for crimes? As well might it be said apprentices are sold as slaves. Is it not an insult to you, does it not evince a contempt for your understandings, when such statements are published for your examination? But we will not misrepresent—we quote the words from the third page of the circular:

"We deem comment useless, and will therefore only say that, on the 17th of September, 1807, General William Henry Harrison, the then Governor of the Territory of Indiana, and holding the sole control of all the laws in his own hands, *actually signed the above bill, which provides that poor white men and women, who are from their poverty unable to pay sheriff's' fees, clerks' fees, lawyers' fees, and court fines, should be sold by the sheriff, at public auction, as slaves.* How would you feel to see one of your poor *but respectable and good neighbor men* sold at auction by the sheriff of your county *as a slave*, under this Harrison law, to some *free negro?* And only think of what would be your feelings to see one of your poor but respectable neighbor women knocked off under the sheriff'a hammer to a free negro *as his slave*, to be under his commands, and compelled to obey them, whatever they might be; and should she resist and disobey and leave her black master's service, and be should apprehend her, and drag her before a single justice of the peace, and, under this Harrison law, have thirty-nine lashes inflicted, upon his white female slave, and then compel her to serve two days for every one she had lost from her black master's service, would you be willing to vote for such a man as President? And this is the bank federal Whig candidate's former opinions and acts to which he refers us, and adopts as his present opinions and principles; and this man, with these principles, is the nominee of the great Harrisburg and Baltimore bank, federal, abolition Conventions for President of these United States; and they strongly solicit your votes for him, and particularly demand the votes of poor men, while at the same time he actually refuses to be seen by, or even spoken to by a poor man; and you are asked by these federal Whigs to take him upon his former expressed opinions and acts, and they as above stated."

We take it for granted that any intelligent man will see at once this misstatement, and will, as soon as the law is read, be entirely satisfied that selling a horse thief, or a hog thief, or one who had committed forgery or perjury, after he had been "*convicted*" by twelve men, cannot properly or with truth be said to be selling "respectable and good neighbor men" for lawyers' fees.

We know the People, "the respectable and good neighbor men," of North Carolina too well to believe, for one moment, that they would oppose the election of Gen. Harrison because he wished to punish thieves, forgers, and perjured wretches. One who did not know our people would suppose that North Carolina was a den of thieves, from reading this circular. How could honest people suffer by such a law? No honest man could complain of it. It was passed to protect honest men against those who violated the laws of God and man, and relieve honest men from taxes. And surely no North Carolinian, residing in that State, remarkable for the general good character, the orderly and correct deportment of its people, can be influenced by such appeals. We pronounce this attempt an unworthy artifice, unbecoming members of Congress, representing honest men, as the authors of this circular do, and insulting to the People of North Carolina, who would suffer as little by such laws as any other people in the world.

But there is another misrepresentation in the extract last quoted, which either betrays an unpardonable ignorance in those who profess to hold themselves ready to answer "any inquiries which may be asked," or shows a wilful departure from the truth. Messrs. M. and H. as if they were electioneering among convicts from a penitentiary, ask "How would you feel to see one of your poor but respectable and good neighbor men sold at auction by the sheriff of your county, *as a slave*, under this Harrison law, to some free negro?" If Gen. Harrison had ever sanctioned a law by which a free negro was authorized to buy a poor and respectable man, he would deserve, and would receive from us, nothing but the severest censure. Instead of feeling justly proud, as Americans, of his glorious victories in the field over the British and Indian forces, we should blush to hear the name of Harrison. Instead of reflecting, with feelings of exultation, on the events of a long and well-spent life, on the unsullied integrity of his character as a soldier and as a statesman, we should say he deserved the corses of every "respectable good neighbor man." But what is the real state of the case? In many of the States of the Union there are similar laws, and the idea of a white man being sold to a free negro seems never to have been thought of by any one but Messrs. Montgomery and Hawkins.

The law of North Carolina, which many of the members of Assembly in North Carolina voted for, does not contain any clause forbidding a free negro to hire a convict. Like parricide among the Athenians, there was no law to prevent it, for no man, it was thought, could be wicked enough to commit the crime. Will it be said that the members of the Legislature of North Carolina ever voted for a law to sell poor "but respectable neighbor men" as slaves to free negroes? We hope not, yet the assertion may be made with as much truth of this law as of the Indiana law. Examine for yourselves the law of North Carolina.

By this law of our own State, which we quote from memory, not having the book before us, it is provided that certain persons who are idle and disorderly in their conduct (not confined to those who are *convicted of crimes*, as the Indiana law was) should be "hired out," "but if such persons were 'of ill fame, so that he or they could not be hired out for the 'costs, nor give sofficient security for the same, and his or 'their future good behavior, in that case, it shall and may 'be lawful for said court to cause the offender or offenders '*to receive thirty-nine lashes on his or their bare back*, after 'which he or they shall be set at liberty, and the costs arising 'thereon shall become a county charge; which punishment 'may be inflicted as often as the person may be guilty, allowing twenty days between the punishment and the offence."

Consult the journals of the Legislature, when the revised statutes were adopted, and learn how many supporters of the Administration voted for this law.

But to show how careful General Harrison was, as he has always been, of the rights of the poor, we call your attention to the following section of a law of the Territory of Indiana:

"Extract from the laws of the Indiana Territory, printed at Vincennes, by Messrs Stout and Smoot, in 1807, and now in the library of the State Department, Washington city."

Yes, extract from *the very same book* from which Messrs. Montgomery and Hawkins copied their extract.

We copy the following from page 343, chapter 48, section 9th, of *the same book:*

"No negro, mulatto, or Indian shall at any time purchase any servant *other than of their own complexion*, and if any of the persons aforesaid shall, nevertheless, presume to purchase a white servant, such servant *shall immediately become free*, and shall be so held, deemed, and taken."

Signed as follows: JESSE B. THOMAS,
Speaker of the House of Representatives.
B. CHAMBERS,
President of the Council.

Approved, September 17, 1807.
WM. HENRY HARRISON.

Now, fellow-citizens, we can repeat the words of the circular, and say "we deem comment useless," and will therefore only say, "that on the 17th day of September, 1807, Gen. Wm. Henry Harrison, the then Governor of the Territory of Indiana," (the same man who is the son of Benj. Harrison, a signer of the Declaration of Independence; the same man who was appointed Governor of the Territory of Indiana by Thomas Jefferson, the author of the Declaration of Independence, in the year 1803 and in 1806, afterwards by Mr. Madison in 1809, *after* this law had been passed; the same man who fought and conquered at Tippecanoe and the Thames; the same man whom cut-throat abolitionists, and all horse thieves, hog thieves, housebreakers, and forgers, who do not wish to be made to work, hate so bitterly; this same man who lost his seat in Congress because he defended Southern rights; this same Wm. Henry Harrison) "actually signed the above bill" which forbid a negro to purchase a white servant! although that white servant had been convicted by a jory! Now, fellow-citizens, "how would you feel" if one of you were the representative of "respectable, good neighbor men," and published such a circular? "And only to think of what would be your feelings," if one of you had published such charges against an honest old soldier, and said "the above is a true statement of facts on record?" "We appeal to every honorable man among you, (not totally blinded by party prejudice,) who loves his friends, his liberty, and his country, to pause, reflect, and examine well the principles and recorded acts" of those men who will thus grossly insult your understandings.

We leave the Indiana laws here.

Messrs. Montgomery and Hawkins also give an extract from the journal of the Senate of Ohio in 1821, from which we take the following:

"Mr. Fithian then moved to strike out the 19th section of the bill as follows:

"*Be it further enacted*, That when any person *shall be imprisoned* either upon execution or otherwise for the non-payment of a fine or costs, or both, it shall be lawful for the sheriff of the county to sell out such person *as a servant* to any person within this State who will pay the whole amount due for the shortest period of service; of which sale public notice shall be given at least ten days; and upon such sale being effected, the sheriff shall give to the purchaser a certificate thereof, and deliver over the prisoner to him, from which time the relation between such purchaser and the prisoner shall be that of master and servant, until the time of service expires, *and for injuries done by either remedy shall be had in the same manner as is or may be provided by law in case of master and apprentice. But nothing herein* contained shall be construed to prevent persons being discharged from imprisonment *according to the provisions of the 37th section of the act to which this is supplementary, if it* shall be considered expedient to grant such discharge: *Provided*, That the court, in pronouncing upon any person or persons convicted under this act, or the act to which this is supplementary, may direct such person or persons to be detained in prison until the fine be paid, or the person or persons otherwise disposed of agreeably to the provisions of this act.

"Which motion was decided in the affirmative: Yeas 20, nays 12."

Among the 12 nays, it seems, the name of Harrison is found. This law seemed in its terms to prescribe that the relation between the parties should be that of "master and apprentice." It only related to those who were "*imprisoned*." Messrs. Montgomery and Hawkins have not ventured to say that "neighbor men and neighbor women," under this law, could be sold as slaves. This is only charged as to the Indiana law. But let us examine this Ohio law, which has heretofore been very much misrepresented.

The first charge against General Harrison was, that he voted for a law to sell men for debt. In 1821, when this slander was brought against Gen. Harrison, he wrote a letter to the Editor of the Cincinnati Advertiser, from which we copy the following:

"I would appeal to the candor of your correspondent to say whether, if there were an individual confined under the circumstances I have mentioned, for whose fate he was interested, he would not gladly see him transferred from the filthy enclosure of a jail, and the still more filthy inhabitants, to the comfortable mansion of some virtuous citizen, whose admonitions would check his vicious propensities, and whose authority over him would be no more than is exercised over thousands of apprentices in our country, and those bound servants which are tolerated in our as well as in every other State in the Union. *Far from advocating the abominable principles attributed to me by your correspondent, I think that imprisonment for debt, under any circumstance but that where fraud is alleged, is at war with the best principles of our Constitution, and ought to be abolished.*

"I am, sir, your humble servant,

"WM. H. HARRISON."

In 1836, Gen. Harrison wrote a letter to Mr. Pleasants, relating to this subject, from which we quote the following:

"*So far from being willing to sell men for debts which they are unable to discharge, I am, and ever have been, opposed to all imprisonment for debt.* Fortunately, I have it in my power to show that such has been my established opinion; and that, in a public capacity, I avowed and acted upon it. Will those who have preferred the unfounded and malicious accusation refer to the journals of the Senate of the United States, 2d Session, 19th Congress, page 235; it will there be seen that *I was one of the committee which reported a bill to abolish imprisonment for debt.* When the bill was before the Senate, *I advocated its adoption, and on its passage voted in its favor.* [See Senate journal, 1st Session, 20th Congress, pages 101 and 102.]

"It is not a little remarkable, that if the effort I am accused of having made, to subject men to sale for the non payment of their debts, had been successful, I might, from the state of my pecuniary circumstances at the time, have been the first victim. I repeat, the charge is a vile calumny. At no period of my life would I have consented to subject the poor and unfortunate to such a degradation, nor have omitted to exert myself in their behalf, against such an attempt to oppress them.

"I am, dear sir, with great respect, your humble servant,

"WM. H. HARRISON.

"J. H. PLEASANTS, Esq."

Although this charge is not made in the circular, it has been made in many newspapers, and we feel bound to let the whole truth be known to you. Like all the other thousand slanders against Gen. Harrison, the examination redounds to his credit. He was influenced by feelings of humanity in wishing to relieve prisoners from the loathsome vapors of a dungeon, that they might, as apprentices, work out their fines.

Mr. MASON, of Ohio, who is well acquainted with the laws of that State, in a speech recently made by him, very satisfactorily explains this vote. Mr. M. says:

"Sir, I wish now to call your attention to the vote of Gen. Harrison, and the circumstances under which it was given. The attention of the Legislature of Ohio, during its session of 1820–'21, was anxiously directed to the consideration of some plan for the relief of the people, then suffering under a degree of distress and embarrassment unexampled in the history of that State. With a currency depreciated and deranged, the financial resources of the State crippled, and a Treasury exhausted, the people loudly complained of the almost intolerable burden of taxation; they demanded retrenchment and reform in the expenses incident to the administration of the criminal laws of the country. In this posture of public affairs, with a gradually increasing expenditure for the prosecution and punishment of offenders, and a penitentiary crowded with convicts, that had become an annual charge on the Treasury, the Legislature assembled, and undertook to provide a remedy for the grievances complained of, by instituting a revision of the entire criminal code of the State. The task was one of great difficulty and labor; but it was accomplished with as much success as was attainable in the then condition of the country. The great object in view was to diminish the public expenditures, in criminal cases, by reducing them to the lowest point consistent with the ends proposed to be secured by the due and proper administration of punitive justice. To effect this, the House of Representatives passed a bill entitled '*An act supplementary to the act for the punishment of certain offences therein named;*' and sent it to the Senate for concurrence. Several new provisions were introduced into this bill. By it certain offences which had before been punished by imprisonment in the penitentiary were made punishable by fine and imprisonment in the county jails."

It was this bill "for the punishment of certain offences therein named," which contained the 19th section to which we have just referred. In that 19th section it will be seen as follows: "But nothing herein contained shall be construed to prevent persons being discharged from imprisonment according to the provisions of the 37th section of the act to which this is supplementary," &c.

In the "act for the punishment of certain offences therein specified," passed February 11, 1815, (See Chase's Statutes, 2d vol. pages 893, 4, 5, 6, 7,) you will find the 37th section here referred to, and which is as follows:

"Sec. 37. That when any person shall be confined in jail for the payment of any fine and costs that may be inflicted agreeably to the provisions of this act, the county commissioners may, if it be made to appear to their satisfaction that the person so confined cannot pay such fine and costs, order the sheriff or jailer of such county to discharge such person from imprisonment; and the sheriff or jailer, upon receiving such order in writing, shall discharge such person accordingly: *Provided*, That the commissioners may, at any time thereafter, order and cause to be issued an execution against the body, lands, goods, or chattels of the person so discharged from imprisonment for the amount of such fine and costs."

Remember the 37th section was retained and Gen. Harrison voted for this, and it expressly provides that, if any person "*cannot pay such* fine and costs," the county commissioners may discharge them. *A poor man, therefore, could not suffer by this law.* We repeat, this section is not given by Messrs. Montgomery and Hawkins. This gives relief to those who could not pay the fine, and this provision was *retained in the law for which Gen. Harrison voted.*

But the case is stronger still. In the celebrated 19th section, against the motion to strike out which Gen. Harrison voted, it appears that the criminal had the same "remedy which was provided by law in case of master and apprentice."

Here is the 21 section of the law of Ohio relating to apprentices, to be found in Chase's Statutes, vol. 1, pages 585, 6, in the Library of Congress:

"Sec. 2. That if any *master* or *mistress* shall be guilty of any *misusage, refusal of necessary provision or clothing, cruelty, or other ill treatment*, so that said apprentice or *servant* shall have *just cause* to *complain;* or the said apprentice or servant be guilty of any misdemeanor, or ill behavior, or do not perform his or her duty to his or her *master or mistress*, then the said *mas-*

ter or mistress, apprentice or *servant*, having *just cause of complaint*, may repair to any justice of the peace in the township, who shall, upon the application by *either*, issue his warrant or summons for bringing the said *master or mistress*, apprentice or *servant*, before him, and take *such order or direction* between the said *master or mistress*, apprentice or *servant, as the equity and justice of the case shall require.*"

We are very willing any honest, respectable neighbor man should read the 2d section, the 37th section, and the 19th section above quoted, *all parts of the law for which Gen. Harrison voted*, and form his own opinion of it. We quit this part of the subject by quoting the laws of Ohio.

By the laws of Ohio, now in force, no negro or mulatto can come and settle in that State unless he produce a certificate of his freedom, and enter into bond for his good behavior and support. A penalty is imposed on any person who harbors or employs such negro, to be paid to the owner of said negro. The laws of Ohio also provide that runaways shall be delivered up to their owners, upon their proving their property. Negroes are not regarded in Ohio as standing on the same footing with white men. Neither have Messrs. Montgomery and Hawkins or any other persons charged that a negro can purchase as a slave a white man in Ohio.

The above extracts fully show this, if there was no other evidence. But we quote the following from the laws of Ohio, copied from page 556 of the Statutes of Ohio, vol. 1:

"That no black or mulatto person or persons shall hereafter be permitted to be sworn or give evidence in any court of record, or elsewhere in this State, in any cause depending, or matter of controversy, where either party to the same is a white person, or in any prosecution which shall be instituted in behalf of this State against any white person."—Passed January 25, 1807.

These are the laws now in force in the State of Ohio, in which Gen. Harrison lives. These laws we are authorized to believe met his approbation, and because he wished to punish horse thieves, and hog thieves, burglars, and forgers, in Indiana, to make them work, instead of feeding them out of the taxes paid by honest men, Messrs. M. and H. would persuade you to oppose him, and vote for a man who has allowed "negro witnesses to be examined against a white man," and said "there was nothing in the proceedings which required his interference!"

It remains for you to say who is the more worthy of the support of "respectable men" We think we have fully answered the unfounded charges of Messrs. Montgomery and Hawkins against Gen. Harrison on this score.

This circular of Messrs. M. and H. seems to have been prepared under some delusion. We are at a loss to imagine what could have prompted any one to say that Gen. H. had "shut himself up, and refused to be seen by any but his keepers." Again we are told, "he actually refuses to be *seen* by, or even spoken to by a poor man." The confiding natures of the authors of this circular have surely induced them to believe all they see in print. There is scarcely a day of his life that Gen. Harrison is not seen and spoken to by all who desire it. His generous hospitality is enjoyed by all who visit him. His door has always been open to the poor; "the string of his latch has never been pulled in" when they called on him. Before this circular had reached the hands of Wil. White and others, and Gideon M. Green and others, Gen. Harrison was on his way from his farm to Fort Meigs, at which place, and at Columbus in Ohio, he addressed thousands of People, *of poor men*, who had known him in peace and in war. The gathering at Fort Meigs, nearly two hundred miles from his home, was estimated at 20 000 or 30,000, good neighbor men, farmers and mechanics—all of whom saw Gen. H. and most of whom must have heard him speak. Is it not extraordinary, therefore, that when Gen Harrison had travelled nearly two hundred miles, in unreserved social intercourse with the People, he should be charged with refusing "to be seen by, or even spoken to by a poor man?"

Is it not strange that such a man should be thus accused? He whose whole life has been signalized by acts of benevolence and charity; the general who put the weary soldier on his horse while he walked with the army; who, in the severe winter of 1812-'13, slept under a thinner tent than any other person, either officer or soldier; who, when "his bedding consisted of a single blanket," gave that blanket to a wounded soldier who was his enemy; the general who in battle (as is proved by soldiers who were with him) "was where cannon balls and chain-shot flew thick around him;" who was in the fight "where balls flew the thickest, and where steel met steel the fiercest;" he who partook of the soldiers' fare with "log cabin men," and ate beef roasted before the fire without salt and without bread; he who protected the whole Western frontier, and delivered thousands of women and children from the barbarities of British and Indian ferocity combined, he is now slandered and charged with refusing to be seen by or spoken to by a poor man! Oh! shame, where is thy blush! Oh! conscience, where was thy voice? No man who knows Gen. Harrison has ever said or will say he has turned his face away from friend or foe.

We think we have shown that this circular is grossly incorrect; that it has shamefully misstated facts; and that none but felons, horse-thieves, burglars, hog-thieves, and such locofoco spirits who steal and wish to be fed at public expense, can object to this Indiana law which Gen. Harrison approved. We feel confident that in North Carolina, whose people are entitled to the high character they have acquired for honesty and patriotism, this will have as little effect as in any other country in the world.

But, fellow-citizens, we feel bound, from a sense of duty, to call your serious attention to other matters more worthy the consideration of patriots than a harmless law, which has never been regarded by the People of Indiana with terror or alarm, and which, although it was enacted more than thirty-two years ago, has never injured any man as far as we are informed, and certainly never was complained of before by honest men. It has never been looked upon as a matter of complaint against General Harrison; for both the States of Ohio and Indiana, in 1836, where these stale slanders were repeated, gave him large majorities as their candidate for the Presidency.

We allude to the Message of the President and the Report of the Secretary of War. The Secretary of War made a report, at the commencement of the present Congress, *to the President of the United States*, and the President sent that report to Congress, with his message. Of course the report was read by the President. It was only from this report he could obtain information of the state of the Army and of military affairs. If he did not read the report, he has acted hypocritically to the American People, is guilty of gross neglect of duty, and must be ignorant of those matters which it is his duty to be acquainted with. We are unwilling to accuse the President of such conduct.

We give you an extract from this report of the Secretary of War:

"It is proposed to divide the United States into eight military districts, and to organize the militia in each district, so as to have a body of twelve thousand five hundred men in active service, and another of equal number as a reserve. *This would give an armed militia force of two hundred thousand men*, so drilled and stationed as to be ready to take their places in the ranks in defence of the country, whenever called upon to oppose the enemy or repel the invader. The age of the recruit to be from 20 to 37; the whole term of service to be eight years—four years in the first class, and four in the reserve: one fourth part, twenty five thousand men, to leave the service every year, passing, at the conclusion of the first term, into the reserve, and exempted from ordinary militia duty altogether at the end of the second. In this manner, twenty-five thousand men will be discharged from militia duty every year, and twenty-five thousand fresh recruits be received into the service. It will be sufficient for all useful purposes, that the remainder of the militia, under certain regulations provided for their government, be enrolled and be mustered at long and stated intervals; for, in due process of time, nearly the whole mass of the militia will pass through the first and second classes and be either members of the active corps, or of the reserve, or counted among the exempts, who will be liable to be called upon only in periods of invasion or imminent peril. The manner of enrolment, the number of days of service, and the rate of compensation, ought to be fixed by law; but the details had better be left subject to regulation—*a plan of which I am prepared to submit to you.*"

The President, in his message, recommends this report and *plan* to our consideration. Hear this extract from his message:

"The present condition of the defences of our principal sea ports and navy yards, as represented by the accompanying report of the Secretary of War, calls for the early and serious attention of Congress; and, as connecting itself intimately with this subject, *I cannot recommend too strongly to your consideration*

THE PLAN *submitted by that officer for the organization of the militia of the United States.*"

On the 9th of March, the House of Representatives passed the following resolution:

"*Resolved*, That the Secretary of War be requested to communicate to this House *his plan*, in detail, for the reorganization of the militia of the United States."

Here you will observe the Secretary of War speaks of a "plan" ready to be submitted to the President. The President, in his message, recommends strongly to the consideration of Congress "THE PLAN" submitted by that officer for the reorganization of the militia of the United States, and the resolution of the House of Representatives calls for his "plan."

A few days after, in March, 1840, the Secretary sends his plan, and to some extracts from this, we invite the attention of all who profess to be republicans.

Section first provides that every able-bodied citizen of the respective States, between twenty and forty-five years of age, shall be enrolled in the militia; and, also, this section provides as follows:

"That every citizen so enrolled and notified shall, within three months thereafter, *provide himself with a good musket, bore of capacity to receive a lead ball of eighteen in the pound, a sufficient bayonet and belt, two spare flints, knapsack, cartridge-box* to contain at least twenty-four cartridges suited to the bore of his musket, and each cartridge to contain a ball and three buckshot, and a sufficient quantity of powder; or with a *good rifle, knapsack, shot-pouch, and powder horn or flask, with sufficient powder for twenty four charges, and two spare flints*, and that he shall appear so armed, accoutred, and provided when called out for exercise or into service; and every citizen so enrolled and providing himself with the arms, ammunition, and accoutrements required as aforesaid, shall hold the same exempted from all suits, distresses, executions, or sales for debt, or for the payment of taxes."

The 13th and 14th sections of this "plan" are as follows:

"13th. That the deficit occasioned by the transfer annually of one-fourth of the ACTIVE to the RESERVE force, and by the discharge annually of one-fourth of the RESERVE, *be yearly supplied by a draught or by voluntary service from the* MASS.

"14th. That, for the greater convenience of instruction and discipline of the ACTIVE and SEDENTARY force, the territory of the United States shall be divided into ten districts, which, until otherwise directed by law, shall be comprised as follows:

	Men.
First District.	
Maine, New Hampshire, Vermont, - - -	9,200
Second District.	
Massachusetts, Rhode Island, Connecticut, - -	9,600
Third District.	
New York, - - - - - -	18,000
Fourth District.	
New Jersey, Pennsylvania, - - - -	13,200
Fifth District.	
Delaware, Maryland, District of Columbia, Virginia,	10,400
Sixth District.	
North Carolina, South Carolina, Georgia, Florida, -	10,000
Seventh District.	
Alabama, Mississippi, Louisiana, Tennessee, -	8,800
Eighth District.	
Arkansas, Missouri, Iowa, - - - -	2,000
Ninth District.	
Kentucky, Illinois, Indiana, - - - -	7,400
Tenth District.	
Ohio, Michigan, Wiskonsin - - - -	9,200
Total, - -	97,800

The following is the 17th section of this plan for subverting the liberties of the country, and we hope you will read and remember it:

"17th. That the President of the United States be authorized to call forth and assemble such numbers of the active force of the militia, at such places within their respective districts, and at such times, not exceeding twice, nor —— days in the same year, as he may deem necessary; and during such period, including the time when going to and returning from the place of rendezvous, they shall be deemed in the service of the United States, and be subject to such regulations as the President may think proper to adopt for their instruction, discipline, and improvement in military knowledge."

By this section, the President would have power to assemble such numbers, at such places, and at such times, within their respective districts, not exceeding twice in one year, as he may deem necessary! By this section, if Congress should enact such a law, your "good neighbor men" might be forced to march to Florida or Georgia when the President pleased. Would not the President, with a sub-Treasury bank, and with all this power, be a King?

The 20th section is in the following words:

"20th. That the *militia of the United States*, or any portion thereof, when employed in the service of the United States, *shall be subject to the same rules and articles of war as the troops of the United States.* And that no officer, non-commissioned officer, musician, or private of the militia shall be compelled to serve more than six months after his arrival at the place of rendezvous, in any one year, nor more than in due rotation with every other able-bodied man of the same rank in the regiment."

What these rules and articles of war are we will show presently.

The 28th section is in the following words:

"28th. That every officer, non-commissioned officer, artificer, musician, or private of the militia, who shall fail to obey the orders of the United States in the case provided for calling forth the active force, or parts thereof, (in the 17th head,) shall be fined, and forfeit a sum not exceeding three months' pay, nor less than half a month's pay, according to the circumstances of the case, as a court martial may determine; and that every officer, non-commissioned officer, artificer, musician, or private of the militia who shall fail to obey the orders of the President of the United States, in any of the cases cited in the 18th and 19th heads, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged according to the circumstances of the case by a court martial, and such officers shall, moreover, be liable to be cashiered by sentence of a court martial, and be incapacitated from holding a commission in the militia for a term of four years, at the discretion of the said court; and such non-commissioned officers and privates shall be liable to be imprisoned, by the sentence of a court martial, on failure of the payment of fines adjudged against them, for one calendar month for every five dollars of such fine."

Now let us inquire how these costs and fines are to be collected. We cannot illustrate this more forcibly than by quoting a report from the minority of the Committee on the Militia, reported by Messrs. TRIPLETT, CARTER, GOODE, and RIDGWAY. This document is Rep. No. 585, of the present session of Congress:

"Who is to pay the costs of the marshals and deputy marshals who are to be sent out to the several States to collect the fines thus assessed by the courts martial? The answer to this inquiry is found in the following extract from the 29th section: 'That the marshal, or his deputy, having received the said certificate, shall forthwith proceed to levy the *said fines, with costs*, by distress and sale of the goods and chattels of the delinquent; *which costs*, and the manner of proceeding with respect to the sale of the goods distrained, shall be agreeably to the laws of the State in which the same shall be, as in other cases of distress; and when any non-commissioned officer or private shall be adjudged to suffer imprisonment, there being no goods or chattels to be found whereon to levy the said fines, the marshal of the district, or his deputy, shall commit such delinquent to jail during the term of which he shall be so adjudged to imprisonment, or until the fine shall be paid, in the same manner as other persons condemned to fine and imprisonment at the suit of the United States may be committed.' From this quotation, it appears that delinquent militiamen are *to pay the costs*. Taking the lowest possible estimate, of two dollars and fifty cents, for the costs of judgment and issuing the execution, let us see what will be the costs on a judgment originally for twenty dollars. When the delinquent militiaman lives two hundred miles from the place of the court sitting, the marshal's fees are fixed by law, for every mile he travels, at —— cents in going to levy the execution. This would make his fees for travelling alone.

"Which would make the account stand thus:

The original judgment - - - -	$20 00
Cost of judgment and execution - - -	2 50
Marshal's fees for travelling 200 miles, at 5 cents per mile - - - - -	10 00
For serving process of execution - - -	2 00
	$34 50"

We ask you to pause and reflect upon this monstrous scheme, and remember that every man who votes for Mr. Van

Buren will be considered, according to the locofoco doctrine, as voting to approve his measures. Do you approve of this scheme? If not, how will you express your disapprobation except at the ballot-box?

But this is not all. By the first section, each man must furnish himself with a musket, balls, knapsack, &c. Could this be done at less than twenty dollars for each man? Are you willing to submit to this onerous tax?

Read the 17th section of this "plan;" see the power to be given to "the President;" see that the men are to "be deemed in the service of the United States;" see that the soldiers are to "*be subject*" (hard words to a Republican ear) "to such regulations as the President may think proper to adopt for their instruction, discipline, and improvement in military knowledge." Read the Constitution of the United States, and see if the power is not there given to "*Congress*" to prescribe the discipline, "reserving to the States respectively the appointment of the officers, and the authority of training the militia," according to the discipline "prescribed by Congress." And ask yourselves, can you sanction such a flagrant violation of the Constitution of the United States?

Remember, then, the 20th section prescribes that the militia, when employed in the service of the United States, (as in the 17th section,) "*shall be subject to the same rules and articles of war as the troops of the United States.*" Now let us see what a few of these "rules and articles of war" are:

In the 4th volume of the laws of the United States, published by John Bioren and W. John Duane, Philadelphia, and R. C. Weightman, Washington City, 1816, you will find "an act for establishing rules and articles for the government of the armies of the United States," approved April 10, 1806.

From this act we make a few extracts for your consideration:

"Art. 5. Any officer or soldier who shall use contemptuous or disrespectful words against the President of the United States, against the Vice President thereof, against the Congress of the United States, or against the Chief Magistrate or Legislature of any of the United States in which he may be quartered, if a commissioned officer, shall be cashiered, or otherwise punished, as a court martial shall direct; if a non-commissioned officer or soldier, he shall suffer such punishment as shall be inflicted on him by the sentence of a court martial."

"Art. 9. Any officer or soldier who shall strike his superior officer, or draw or lift any weapon, or offer any violence against him, being in the execution of his office, on any pretence whatsoever, or *shall disobey any lawful command of his superior officer*, shall suffer death, or such other punishment as shall, according to the nature of his offence, be inflicted upon him by the sentence of a court martial."

[And if negro testimony is admitted on the trial, and the President should find nothing in it to "require his interference," how easy a matter would it be for the negro servants of a superior officer to accuse and convict a poor white man.]

"Art. 41. All non-commissioned officers and soldiers, who shall be found one mile from the camp, *without leave in writing* from their commanding officer, shall suffer such punishment as shall be inflicted upon them by the sentence of a court-martial.

"Art. 42. No officer or soldier shall lie out of his quarters, garrison, or camp, without leave from his superior officer, under penalty of being punished, according to the nature of his offence, by the sentence of a court-martial."

"Art. 67. No garrison or regimental court-martial shall have the power to try capital cases, or commissioned officers, neither shall they inflict a fine exceeding one month's pay, nor imprison *nor put to hard labor* any non-commissioned officer or soldier for a longer time than one month."

This article limits the power of a regimental court-martial, but not of a general court-martial. A "general court-martial" could, therefore, under these articles, *put to hard labor* a soldier for a longer time than one month. Is not this worse than selling a horse thief, according to the Indiana law? And may not negro witnesses be admitted upon the trial, according to Lieut. Hooe's case?

"Art. 101. The foregoing articles are to be read and published once in every six months, to every garrison, regiment, troop, or company, mustered or to be mustered *in the service of the United States*, and are to be duly observed and obeyed by all officers and soldiers who are or shall be in said service."

We repeat, by the 17th section of the plan recommended to our consideration by the President, the militia will be considered in the service of the United States; and by the 20th section of the same plan, they will "*be subject*" to the "rules and articles of war, as the troops of the United States."

These things require no comment from us. Nothing we can say can make this "plan" appear more hideous and horrible.

We have alluded to the admission of negro witnesses against a white man. We will give the facts.

In the year 1839, a court martial was held at Pensacola, before which Mr. Geo. Mason Hooe, a native of Virginia, and a Lieutenant in the Navy, was tried. Two negro witnesses were examined on the trial, contrary to his wishes and remonstrances. The proceedings were sent to the Secretary of the Navy; he approved them. Mr. Hooe presented a memorial to the President, calling his attention to the fact, that negroes had testified against him. The President, after the proceedings of the trial were laid before him, and after he had read Mr. Hooe's respectful memorial, endorsed on the papers the following words:

"The President finds nothing in the proceedings in the case of Lieut. Hooe which requires his interference. M. V. B."

We submit to you an extract from the proceedings which have been sent to the House of Representatives, and ask you if there is "*nothing*" in the President's conduct which requires your interference at the polls. The following we have had copied from the original, sent by the Secretary of the Navy to the House of Representatives:

Extracts from the trial of Lieut. George M. Hooe, of the U. S. Navy, communicated to the House of Representatives on the 24th June, 1840.

James Mitchell, captain's steward of the U. S. ship Vandalia, called and sworn.

The accused objected to the examination of the witness, upon the ground that he was a colored man.

The Court, after deliberation, did not consider the objection a valid one, and ordered the examination to proceed.

The accused then offered a paper writing, of which the following is a copy, and desired that the same be spread upon the record:

"The accused begs leave to state to the Court most distinctly that he solemnly protests against the evidence of this witness being received and recorded. It is far from the wish of the accused to object to any evidence which the Court may deem legal; but the witness is a colored man, and therefore, in the opinion of the accused, is not a competent witness even before this tribunal.

"G. M. HOOE,
"Lieutenant U. S. Navy."

The accused presented a paper writing, of which the following is a copy, and requested that the same be spread upon the record, which was ordered by the Court:

"The accused, having protested against the evidence of this witness, on the ground that he conceives his testimony to be altogether illegal, that he knows it would be so considered before the civil tribunals of this Territory, the forms and customs of which he humbly thinks should be as closely followed by a martial court as possible, therefore asks leave to spread upon the record the fact that he cannot consent to, and has totally declined, cross-examining this witness. "GEORGE MASON HOOE,
"Lieut. U. S. Navy."

Daniel Waters, captain's cook of the U. S. ship Vandalia, called and sworn.

The accused presented a paper writing, of which the following is a copy, and requested that the same be spread upon the record, which was ordered:

"The Court having decided to receive and record the testimony of colored persons, the accused, in regard to this witness, can only reiterate his objections as set forth in the case of Mitchell, the captain's steward. The accused will pursue the same course with this witness that he decided to take with the other colored man.

"GEORGE MASON HOOE,
"Lieut. U. S. Navy."

[At the close of the proceedings of the Court is the approval of the Secretary of the Navy in these words:]

"Approved. J. K. PAULDING."

Extract from the letter or memorial of Lieut. Hooe to the President of the United States.

There is one other point in the proceedings of the Court (touching their legality) to which I invite the particular attention of your Excellency. It respects a matter as to which all Southern men are deeply sensitive; and, if not overruled by your Excellency, will assuredly drive many valuable men from the Navy. In

the progress of the proceedings of this Court, two negroes, one the cook, the other the private steward of Commander Levy, were introduced as witnesses against me. I protested against their legal competency to be witnesses in the Territory of Florida, on the ground that they were negroes. The Court disregarded my exception, and, as the record shows, they were allowed to be examined and to testify on my trial. This I charge as a proceeding illegal and erroneous on the part of the Court; and, if so, according to established law and precedent, must vitiate and set aside their whole proceedings.

Letter from the Secretary of the Navy to the President.

NAVY DEPARTMENT, DEC. 14, 1839.

SIR: In obedience to your directions, I have the honor to transmit a report in the case of Lieut. George Mason Hooe, and to return the memorial addressed to you by him in relation to the proceedings of the Court on his trial.

I am, very respectfully, your obedient servant,

J. K. PAULDING.

Endorsement on the above letter, by Martin Van Buren, President of the United States, with his own hand.

"THE PRESIDENT FINDS NOTHING IN THE PROCEEDINGS IN THE CASE OF LIEUT. HOOE WHICH REQUIRES HIS INTERFERENCE. M. V. B."

Now, fellow-citizens, we ask you to contrast with this the following from the same book in which Messrs. MONTGOMERY and HAWKINS found their law to sell "good neighbor men;" or, as the law says, horse thieves, burglars, hog thieves, and such other "good neighbor men" as committed crime, and would not work.

Extract from the same law book from which Messrs. MONTGOMERY and HAWKINS took their extract:

"CHAPTER 46—PAGE 311.

"AN ACT regulating the practice in the General Court, and Court of Common Pleas, and for other purposes.

"SECTION 24. No negro, mulatto, or Indian, shall be a witness, except in pleas of the United States, against negroes, mulattoes, or Indians, or in civil pleas, where negroes, mulattoes, or Indians alone shall be parties.

"JESSE B. THOMAS,
"*Speaker of the House of Representatives.*
"B. CHAMBERS,
"*President of the Council.*

"APPROVED, Sept. 17, 1807.

WILLIAM HENRY HARRISON."

We have now exposed the misstatements and misrepresentations of Messrs. MONTGOMERY and HAWKINS. In doing so, it has not been our desire to wound their feelings, or to indulge in harsh and offensive language. We have prepared this communication at the request of many good people from North Carolina. We feel we are but doing justice to General Harrison, a meritorious public servant, whose character is of more value to him than all the wealth of earth, whose private life has been hitherto unsullied, without a stain and without reproach, and whose services in the field have shed a lustre upon American arms that all patriots will think upon with exultation and pride.

The fame of our great men is the most valuable property of our nation. That fame it is our duty and our pride to sustain and to defend. In the name of our Revolutionary Patriots, we call upon you to pronounce condemnation on the "plans" of this corrupt Administration. We call upon the log-cabin men! upon such as fought at Tippecanoe, New Orleans, and the Thames, to come to the rescue of their country, and to save us from the disgrace of being punished by the testimony of negro servants, and from the horrors of a standing army.

ED. STANLY.
LEWIS WILLIAMS.
ED. DEBERRY.
K. RAYNER.

WASHINGTON CITY, JUNE, 1840.


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